

STATEMENT

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STATES:

I make this statement in response to the Royal Commission into recruitment and management of human sources. After reading articles published in the media concerning the lawyer who is referred to as 3838 or Lawyer X and her involvements with Victoria Police as a registered informer I feel compelled to inform the Royal Commission of matters surrounding my involvement with her in a very high profile murder investigation into the deaths of Terrence HODSON and his wife Christine HODSON. I will refer to the lawyer as 3838 from hereon.

The reasons I feel so compelled are twofold. Firstly after reading the media reports of the 3838 story and the High Court findings I now believe that what had been occurring between 3838 and Victoria Police with respect to her being utilised as a registered informer had a significant detrimental effect on the investigation into the Hodson murders and caused the integrity of the investigation to be compromised. Secondly substantial allegations of impropriety have been levelled at Victoria Police in relation to this matter of which I want to disassociate myself and the investigators of my team. On that front I can say with confidence that my team's dealings with 3838 were at all times ethical and totally professional. The fact is she was not at any time dealing with my team as an informer of any sort but an ordinary witness on our brief of evidence. There was no suggestion at all that she had any lawyer/client relationship or obligations with regard to her role as a witness in our matter, we made sure of that from the outset of our involvement with her.

Terrence and Christine HODSON were both shot and killed in a clinical execution style murder at their home in Kew over the weekend of the 15th and 16th May 2004. They were discovered dead at 6 p.m. on Sunday 16th May by their son Andrew HODSON and daughter Mandy HODSON lying face down on the floor, side by side in a rear living room. They were both shot to the back of the head with a .22 calibre [REDACTED] pistol.

I was a member of the Homicide Squad on call crew which attended the scene of the homicide. Despite the fact that the deceased had strong links with high profile criminals who were persons of interest in the Melbourne gangland murders which were occurring with frequency at that time and the subject of investigation by the Purana Taskforce the decision was made to leave this investigation with the on call Homicide Squad crew. I worked on this case from that time on as the team leader and supervising Sergeant of the lead investigator Detective Senior Constable Cameron Davey.

The investigation was protracted and complex however progressed satisfactorily despite the fact that we had to share our time with it and other cases. By April of 2007 the investigation was still active however we had not yet identified any clear and definite suspects. Then there was a development.

In April of 2007 Crime Command formed the Petra Taskforce. The catalyst for that decision from what I was informed was that Carl Williams who was in custody facing trial on a number of the gangland murders had informed Purana Taskforce Detectives that Paul Dale, formerly a Detective Sergeant at the Major Drug Investigation Division (MDID) and who Williams stated he was in a corrupt relationship with had commissioned Williams to arrange a hit on Terrence Hodson before Hodson could appear in Court to give evidence against Dale at an upcoming Committal hearing where Dale and another police officer (David Miechel) were facing serious criminal charges along with Hodson where all three of them were alleged to have been involved in a plan to break into a drug safe house in Oakleigh to steal a large quantity of drugs and \$750,000 cash.

Detective Senior Constable DAVEY, the lead investigator in the Hodson murder investigation was sent to speak to WILLIAMS and obtain a statement from him. Williams signed a statement detailing the above scenario and was prepared to give evidence in court. I was shown the statement and I was also played a recording of a

lawfully intercepted phone call between Paul Dale and Carl Williams which provided compelling evidence to me that he and WILLIAMS were in a corrupt relationship, the true extent of the relationship I wasn't fully aware of yet but was later to determine. I was seconded to the Petra Taskforce along with the lead investigator Cameron Davey on 23 April of 2007 and continued on as the team leader/supervisor of the Hodson murder investigation.

Petra Investigation

In the beginning the taskforce was relatively small consisting of two teams of 5, an investigation manager (Senior Sergeant) and a Taskforce head. (Inspector) However it grew in size much later. We were relocated away from our usual work location and the taskforce reported directly to a Steering Committee. Interacting with the Steering Committee was not within my role. I reported via a chain of command which was to my investigation manager who escalated if required. I believe that the Steering Committee consisted of a number of Executive Managers from different areas within Crime Command at Assistant Commissioner Level and other partner agencies such as Office of Police Integrity.

One of the foremost important tasks of the Petra investigation was to examine the statement of Carl Williams in minute detail and find evidence to corroborate, support or refute the details he was giving. This was done comprehensively and a point was reached by investigators where we were satisfied that his statement was credible. The greater majority of details he gave could be corroborated by independent evidence. This was an important exercise to take because if we refuted his statement the taskforce would not proceed any further. The taskforce then moved forward with the investigation.

3838

More than 200 persons of interest were spoken to during the course of the investigation, 3838 became one of those persons. We were keen to speak to her in the early stages of the taskforce due to her close contact with key players. For example it was her who Andrew Hodson first called when he discovered the bodies of his murdered parents. 3838 represented Carl Williams and there was information circulating that she also

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attended a large gathering organised by Williams at the Crown Palladium for his daughter's christening. We discovered that 3838 was utilising at least 2 safe phones to communicate with Paul Dale who was also using safe phones. By safe phones I mean phones connected in false names. 3838 was also using at least 2 safe phones to communicate with a criminal by the name of Azzam Ahmed who was also using safe phones to communicate with her. We determined that Ahmed was running the drug manufacturing operation from the safe house in Oakleigh which Dale, Hodson & Miechel were planning to break into and rob with which they were charged. We obtained evidence that Tony Mokbel was the financier of that operation and 3838 had an association with Mokbel also.

During the course of our investigation we entered into a partnership with the Australian Crime Commission who commenced conducting coercive hearings on our behalf under their determinations code named Operation Cotchill. Approximately 40 hearings were conducted.

We had unfettered access to any person of interest we needed to contact with the exception of 3838.

When it came to us wanting contact with her we were instructed that we were not to make direct contact with her. We were instructed to submit a written list of queries or questions through our chain of command and wait for further instruction. We would later receive a reply letting us know when and where she was available to see us and which of the listed topics we could discuss. We were under strict instruction not to divert from any of the matters listed and not to engage her in any discussion about other matters. **We were also advised that she will never be a witness.**

This was a very unusual situation and something that I had never experienced before. Cameron Davey and I were frustrated by this process and voiced our concerns however we were told that this was how communication with 3838 was to occur or there would be no communication at all; Incidentally we were visiting and speaking to numerous other members of the legal profession some of whom were far more prominent than 3838 without any encumbrances at all.

We were not made aware that she was a registered informer.

During 2008 Detective DAVEY and I met with 3838 on 4 occasions to my recollection. These meetings were facilitated in the manner described above and occurred at the complex where the Petra Taskforce was located in the CBD. These meetings occurred on 26/02/08, 28/02/08, 05/03/08 & 17/11/08. The subject of discussions at all these meetings was the Hodson homicide investigation and matters within her knowledge which may be of assistance to us. We did not illicit or attempt to illicit any information relating to other matters under investigation by other work groups nor receive from 3838 any information about criminal activities by any person she was acting for or otherwise. She was not providing us with any information in the context of an informer but meagrely assisting us with our inquiries into the Hodson murders.

The information she provided us over this time was helpful however it certainly didn't provide the breakthrough which would enable us to make arrests or lay charges. In any case we were not expecting anything like that from her because we had been told by superiors that although 3838 would assist our investigation she was never going to be called as a witness should a prosecution arise.

By mid-2008 had advanced to a stage where we had gathered sufficient evidence to arrest Rodney Charles Collins in relation to a cold case double murder. We were also looking at Collins as a suspect for the Hodson murders. The information provided by 3838 had no bearing on that at all. On 6th June 2008 we arrested and charged Rodney Charles Collins with the murders of Ramon and Dorothy Abbey who were murdered at their home in West Heidelberg in 1987. Collins was a notorious violent career criminal closely linked to Carl Williams. He was feared by many in the underworld and had a reputation for his willingness to kill and his ability to kill his target swiftly in both public places and within the security of their own homes. I am personally aware of 5 people he has murdered including the Hodsons however Intelligence from other sources suggests there were others. I have dealt with Collins a number of times over the years.

When Petra Taskforce investigators arrested Collins at his Fairfield address he was found to be in possession of a loaded .45 calibre handgun, ammunition, various types of surveillance equipment including night vision gear, sound directional device, directional mirrors, ballistic vest and of concern a confidential police dossier containing the names,

addresses and other information on many different people. We believe it likely that the name of an intended victim was amongst those names.

We charged Collins with the murders of Ramon and Dorothy Abbey. The Abbeys were husband and wife who were murdered in 1987 at their West Heidelberg home by Collins. He entered their home in the middle of the night with 2 co offenders posing as police officers. They wore police uniforms and were permitted into the house. Collins took Ramon Abbey to a shed at the rear and forced him to open a safe. Collins then shot him in the head at close range in the shed. Collins then went to the lounge where Dorothy was being held by a co offender. He shot her to the head as she lay on a sofa however she didn't die immediately. Collins had run out of bullets. Collins then used a kitchen knife to finish her off by cutting her throat. Dorothy was killed simply because she was present and could identify him. Ramon was the intended target. Their 3 children were hiding in a bedroom and later found their mother dead on the sofa after Collins and his associates had left the premises. This double murder bore striking similarities to the Hodson murders.

We eventually charged Collins with the Hodson murders but that didn't occur until March of 2009.

On 26th November 2008 Paul Dale became aware of the totality of the statement which Carl Williams had provided police regarding the Hodson murders. That is he became aware of each and every detail of meetings between himself and Carl Williams alleged by Williams, including the meeting where it is alleged he commissioned the hit on Terrence Hodson. He became aware that Williams had also provided investigators with information about their long corrupt relationship.

On Sunday 30th November 2008 I was at home preparing for a work related trip to Timor Leste. I was due to depart Melbourne to Dili at 4 p.m. My trip had nothing to do with the Hodson Murder investigation or any business of the Petra Taskforce. Prior to departure I received a phone call from 3838. She advised me that she had just received a call from Paul Dale and that he was asking her to meet with him urgently. She wanted to know if I would like her to meet with him. I asked her if she was comfortable with meeting him and if she was prepared to do so then by all means go ahead. She then asked me if I wanted her to record the meeting. I never contemplated

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that she would ever agree to do this which is why I didn't ask her, so it came as a surprise to me when she actually asked the question. I responded with words similar to "Would you be prepared to do that" She replied with words similar to, "Yes if you would like me to."

I then advised her that I was departing for Timor Leste shortly and would be away for the week which meant that I was not going to be able to handle the matter and that I would notify my manager [REDACTED] and Cameron Davey to manage the situation. 3838 was fine with this.

I then called [REDACTED] and advised him of the call I had just had with 3838 and he told me that he will take care of the matter in my absence.

Upon my return to Melbourne on Monday 8th December 2008 I was made aware by both [REDACTED] and Cameron Davey that the meeting between 3838 and Paul Dale had occurred and was recorded by 3838. The recording was currently in for transcription.

At a point in time between 8th December 2008 and 1st January 2009 which I have no clear recollection or record I became aware of the content of the discussion between Paul Dale and 3838 at their meeting.

During that meeting Dale informed 3838 that Carl Williams had made a statement against him. 3838 asked him how accurate it was. Dale replied with words similar to, "It is Very Very accurate. To the point where it seems that every time we met he has diarised it. He has told them things that only he and I knew."

This statement by Dale was significant. He effectively said that the statement which was provided by Carl Williams was truthful and accurate. Dale had directly implicated himself in the murder of the Hodsons.

This was a major development for the taskforce. It was the breakthrough in the case relating to Paul Dale. It was the evidence we needed to be able to charge Dale for his role in the murders. So the issue of 3838 never being called as a witness became significant.

I believe that sometime after the content of the 3838/Dale conversation was discovered. 3838 wanted to know how important that conversation she had with Dale was to the case. I wasn't present at this discussion but I believe that Cameron Davey spoke to her about it and informed her that the conversation and recording of it was significant to the case and the difference between being able to charge Dale and not being able to charge him. Meaning we needed her to make a witness statement. I am told that she asked for some time to think it over.

Over Christmas of 2008 Davey and I were occupied with taking a further two statements from Carl Williams at an undisclosed location relating to the Hodson murder investigation.

On or about 31st December 2008 we received instruction from superiors that 3838 was going to make a witness statement for us in relation to her knowledge relevant to the Hodson murders and the discussion she had with Dale which she recorded.

Over the 1st and 2nd of January 2009 Davey and I took 3838's witness statement at an undisclosed location. 3838 was now a witness in the case against Paul Dale and Rodney Collins for the murders of Terrence and Christine Hodson. The statement of 3838 was made in her own name that is it documented her full and correct name (no pseudonym) and it was signed by her in her own name and appeared on the police brief of evidence as such.

As far as I knew, at that stage there was no issue in relation to her status as a witness in this case because she was not acting for either accused in her professional capacity nor ever had. She herself advised us of this fact. She also at this stage expressed to us that she was not only comfortable with her position now as a witness in this matter but totally committed to the cause. She had no concerns with respect to her health, career, personal life which she expressed to us however she did acknowledge that she must now enter into discussion about witness protection.

It is my understanding that 3838 commenced discussion around her entry into the witness protection program after this point however neither Davey nor I had any involvement in these discussions. I am not aware of who 3838 was discussing this issue

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with or what the details or path these discussions were taking as the cloak of secrecy around 3838 was still in place when it came to her management. It was a need to know situation.

On 13th February 2009 we arrested and charged Paul Dale with the murder of Terrence Hodson. On 20th March 2009 we charged Rodney Collins with the murders of Terrence and Christine Hodson.

The next contact I recall having with 3838 was on 11th March 2009 where I have recorded a welfare check with her. There were no issues or concerns voiced to me by her and as far as I was aware she was still in discussion with others concerning witness protection.

The investigation moved along throughout 2009, the case was also now in brief prep.

I started to have concerns as time passed that for reasons unknown to me 3838's entry into the witness program wasn't going smoothly. There was no progress in the situation despite the passing of several months. Again we were not fully informed of the problem but relying on snippets of information coming through to us. It seemed that 3838 and the managers of the program were at loggerheads about the actual terms of her entry into the program. The terms imposed on her by the program were unsuitable to her however the managers of the program would not bend in any way to her requested needs. As time went on there became a complete impasse between her and the hierarchy over this situation.

The situation remained unresolved right throughout 2009 and by August of 2009 it was so bad that 3838 was no longer cooperating with the managers of the program. For reasons unknown to me at that time the Petra Steering Committee appeared unable to intervene to resolve the problem.

Regardless to the fact that 3838 was refusing to enter the witness protection program arrangements still had to be made to guarantee her safety. There was absolutely no compromise being made so the situation arose whereby the Petra Taskforce had to come up with a plan for her safety

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This involved two investigators being assigned to her personal protection. They were to be available to her 24/7 and acted as her minders.

As far as I was concerned the situation became more and more unusual as time went on. There was no end in sight to the impasse. Now 3838 had ceased her employment as a barrister completely and was [REDACTED] while the issue of her entry into the program remained unresolved. Victoria Police were also [REDACTED] Victoria Police were also [REDACTED]

[REDACTED] This was because as she put it to me once, she enjoys a particular lifestyle and under no circumstances will she be deprived all the luxuries that she is accustomed to because of her involvement with Victoria Police.

In August of 2009 Cameron Davey and I travelled to [REDACTED] to meet with her. The purpose of this visit was both a welfare check and to clarify some more matters in relating to the prosecution case. We spent 3 days with her and I was shocked to see the physical and mental state that she was in. Physically she was thin, pale and had lesions over her body. Mentally she was depressed and stressed. We tried to take her for dinner but she wouldn't eat. One evening I forced her to have a meal so she ordered a small plate of mashed potatoes and barely touched it.

During our time with her in [REDACTED] she told me that she regretted ever getting herself involved with Victoria Police. She said that promises which were made to her by the hierarchy were broken. She said that her involvement cost her career and her life as she knew it. At times she seemed almost deranged with anger. She stated that she cannot deal with managers from the Witness Protection Program anymore. She had lost faith in everyone connected with her management including her minders. She said that Davey and I were the only two people from the organisation who were involved with her at this time that she had any faith in.

The decline in her spirit since we took her statement in January that year was dramatic. It was clear to me that if this situation continued she would be in no state to give evidence in our case and we would surely lose her as a witness, which would have been catastrophic to the prosecution.

I attempted to gain a fuller understanding of the problem from her. I recall telling her that I didn't believe that she should give up her career because of the fact that she was going to give evidence against Paul Dale in this case. I reminded her that she had not breached any of her professional ethics because she was not and had never acted for Dale. I tried to reassure and convince her that her decision to provide evidence in a case involving murder and corruption by a police officer would not be viewed with disdain by the legal fraternity, that she should be commended. I told her that I can't understand why she has given everything up just because she decided to make a statement and give evidence in our case. I told her that I didn't see why she needed to cease her employment in the profession which she stated to me that she loved.

The response I received from her was that I didn't understand the whole situation she was in. She said something like, "If you only knew the truth"

Upon our return from [REDACTED] Davey and I met with Petra Taskforce managers and briefed them on the condition of 3838 and our concerns about her declining mental and physical health. We advised that if the issues causing her this grief are not resolved soon then the Petra prosecution will be in serious jeopardy. I believe that this information was relayed up the chain to the Steering Committee.

The situation regarding her security arrangements were unworkable, unsustainable and dangerous in my view. It seemed that the powers above would not allow her entry into the witness protection program on her terms yet they were prepared for her security to be managed by the taskforce under this sort of ad hoc system of [REDACTED] depending on resource availability; [REDACTED] I can say that she certainly wasn't safe during this time because she told me that on one occasion [REDACTED] she bumped into a well-known criminal associate of Tony MOKBEL, a person who I believe she has had professional dealings with herself who asked her questions about what she was doing [REDACTED]. She said that she had to come up with a fast cover story. On another occasion while [REDACTED] she bumped into a barrister who she knew very well and who also represented a number of well-known criminal offenders linked to some of the gangland identities. He also was

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curious about what she was doing and [REDACTED]. Again she had to come up with [REDACTED]

This situation made no sense to me at all.

The Hodson murder investigation and brief preparation continued on. We were also responding to a voluminous subpoena issued by defence for Dale and Collins. I was also involved in more interstate inquiries regarding the Collins prosecution regarding the Abbey murders. This meant that I had no further contact with 3838 for a while but I was aware that the problems regarding her were still unresolved and being handled above my level.

The next contact I had with 3838 which I have recorded was 29/12/09 where I visited her at an undisclosed location for a welfare check. At this time her problem was still unresolved and her health unchanged. Her relationship with her minders and members associated with her management was virtually non-existent by now.

I commenced my annual leave break on 31/12/09. On 1st January 2010 I was at home when I received a call from 3838. She was highly distressed and agitated at the time and told me that she had been admitted to St Vincents Hospital. I asked her if she would like me to come in to see her and she said that she would like that. I went to the hospital and spent approximately 3 hours with her. She looked very unwell. She was being treated for a number of open lesions over her body which she advised me that doctors believed to be an extreme nervous reaction. She was agitated and angry with the members she had been dealing with regarding her management but appreciated me coming in to see her. She said over and over that she had been let down by her managers. Her sister Katherine was also present. To describe her as in a distressed state would be an understatement.

During my leave break I received a number of phone calls from her and text messages where she literally raged with anger. I tried to pacify her and reassure her that her situation can and will be resolved but it had little effect.

This situation started to take its toll on me also as it seemed like I was the only person she wanted to communicate with at this point in time so I was on the receiving end of

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her tirades which were at times upsetting. I began to fear that some real harm would come to her through the extreme stress she was experiencing and the effect it was having on her health. However despite all her tirades she maintained her commitment to attend court and give evidence in the Dale/Collins prosecution. She told me this number of times however I wasn't sure that I could believe her.

It was around this time that I was so concerned about the whole situation. That is I could see her becoming sicker and sicker and her ability to come to court to give evidence was seriously in doubt by now that I took the drastic step to write a letter to the Chief Commissioner advising him of the situation and pleading with him to personally intervene and sort the problem out before it was too late. I hand delivered the letter to the Chief's staff officer at the Victoria Police Centre who said that he will make sure the Chief receives it. I never received any reply or feedback regarding my letter.

By February of 2010 witness summonses for witnesses required to attend the Dale/Collins committal hearing in March 2010 had been served with the exception of 3838. Hers was yet to be served.

Davey and I had spoken to her about her witness summons and tried to make arrangements for service. She advised us that she preferred to delay service of her subpoena until she was feeling better. Davey and I acceded to her request for a time but unfortunately the time came when we were directed to serve her summons on her.

This occurred on 8th February 2010 where we met her at her solicitor's office in Bourke Street Melbourne. She took the service of her subpoena very badly and considered it to be a betrayal of her by Davey and me. From that day on she ceased all contact with us. She also instructed her lawyers to make an application for the subpoena to be set aside on the grounds that she is unfit to attend court in March.

The Committal hearing commenced on about the 9th March 2010. It was adjourned on 1st April 2010 without a witness being called relating to the charges. The whole time was taken up with hearing legal arguments regarding a barrage of subpoenas issued by defence and suppression orders. 3838 was successful in having her subpoena set aside for 3 months to allow her time to recuperate.

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My thoughts that the situation couldn't get any worse were dashed with two further developments. Firstly on 19th April 2010 Carl Williams was murdered while in custody at Barwon Prison. Effectively blowing a huge hole in the prosecution case as his evidence was the cornerstone of the case. Secondly 3838 issued a civil writ against Victoria Police for damages allegedly caused to her by Victoria Police from her management in this case.

Her writ essentially asserted that we (Petra) coerced her into becoming a witness which had the effect of ruining her life and her career as a barrister. She blamed us for her ill health, loss of enjoyment of life and future earning capacity.

I was very upset when I became aware of the allegations made by her in the writ because I knew them to be totally false. I know we never coerced her in any way shape or form to become a witness. This was her decision and not through any pressure placed on her by us (Petra) she was quite content to do it.

The Taskforce, in particular myself, Cameron Davey, and her two minders did everything we possibly could to support and assist her during the process. We were at her beckoned call 24/7 and responded to her each and every request. We did not cause her problems at all.

On that matter I could never understand at that time why this mess developed. It was supposed to be a straight forward process of her entering into the witness protection program at some level because she was giving evidence against two offenders in a double murder prosecution; two offenders that she had no professional/ethical obligations towards. To us she was an ordinary witness. We were oblivious to her real status with Victoria Police behind the scene. I believed at the time all this turmoil was occurring because of her involvement with us, Petra, in our case. Her long term informing was kept from us. I now know the real situation.

As a result of the death of Carl Williams the prosecution of Dale and Collins was discontinued on 4th June 2010.

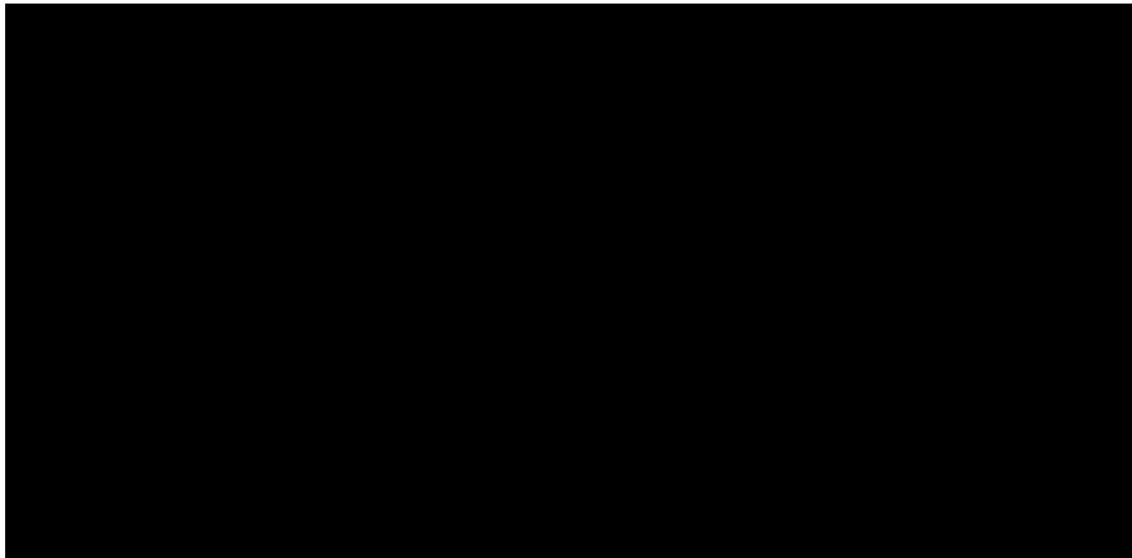
Petra Investigation Post Murder of WILLIAMS

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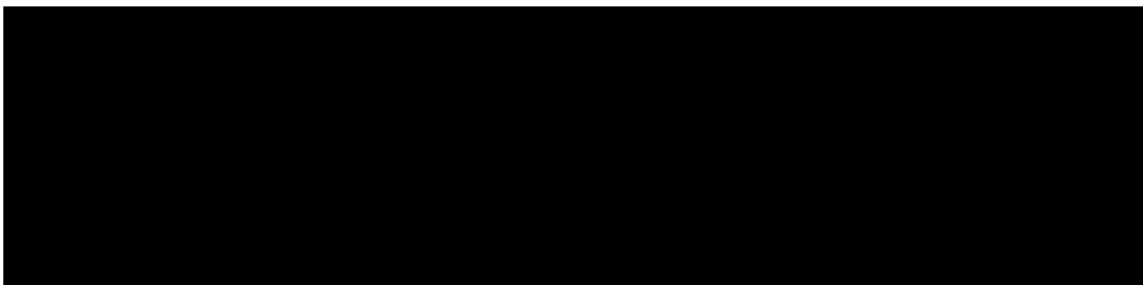
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The death of Carl Williams was a significant setback to the prosecution of Dale and Collins. However the taskforce was still committed to the task and determined to keep working. Deputy Commissioner Sir Ken Jones attended at the taskforce office and addressed us shortly after the death of Williams. He complimented us on the exceptional work we had performed during this long investigation. He also stated that he remained committed to this investigation and asked us to be the same. He said that he expected us all to take this set back on the chin and get back on the job and get this prosecution back on track again. He pledged his support and expressed his confidence in us. There was no suggestion of winding up the investigation as far as he was concerned. This motivated us a great deal and we commenced the work of searching for further evidence to resurrect the prosecution. We were buoyed by the encouragement and positive attitude expressed by the Deputy Commissioner.

We moved forward with the investigation and were successful in opening up the following further positive leads which I have de-identified.

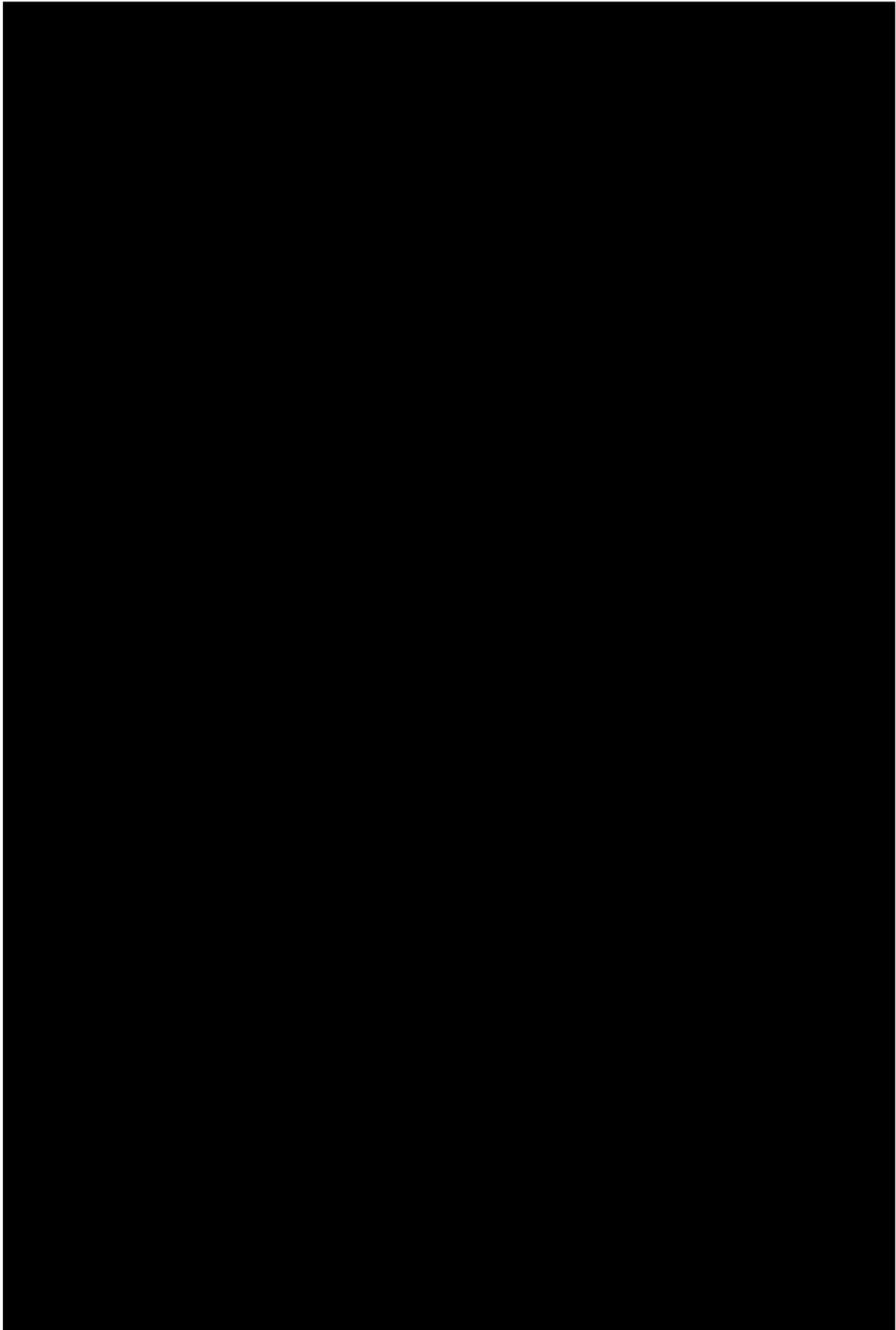


Work was underway gathering evidence to further corroborate the account of [redacted] who at this point was shaping up as credible and reliable.




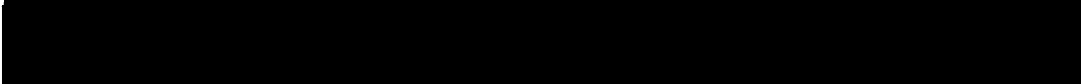
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3838 Involvement in distribution of leaked information reports

After conducting a review of the investigation we discovered a possible link between the leaked Hodson informer management file and 3838 that wasn't apparent to us before. We discovered that on Saturday 28 February 2004, 3838 was in the company of Paul Dale during the evening. Less than 48 hours later 31 pages of information reports from the Hodson informer management file were on their way to Queensland via Tony Mokbel's fax machine.

We also had information of 


We were following this information up with the AFP to verify.

We had decided at this time that 3838 should be investigated as the conduit between Dale and the information reports being circulated to criminals. 


I was also in the process of compiling a brief of evidence against Dale for prosecution regarding numerous counts of giving false and misleading evidence to the ACC. And we were looking at the potential of corruption related charges against him.

So at this stage the Hodson investigation was back up and running in full with some promising leads being followed and it was business as usual. The steering Committee were aware of this situation and fully supportive to our knowledge.

At the same time the 3838 civil writ against Victoria Police was continuing in the background. However by August 2010 the writ was settled. This seemed quite remarkable to me as I expected this matter to take much longer to resolve. A writ of this nature being resolved in 3 months seemed very unusually rapid particularly as I expected Victoria Police to put forward a defence to the writ as in my view the writ was unfounded and easily defensible. However the decision was made to settle and this really wasn't any of my business. My concern was to keep up the momentum on our investigation which was progressing satisfactorily to the point where Cameron Davey and I were optimistic that the prosecution could be resurrected.

Then the situation suddenly changed again. Shortly after news that 3838's writ was settled instruction came down from above that we (the taskforce) were no longer to have any contact with 3838 in any form whatsoever. Cease all contact with her was the direction. This was despite the fact that we had advised the steering committee of our plans to investigate her possible role in leaking the information reports, which if determined to be the case made her an accessory. Despite our plans to engage with the ACC to coercively examine her. And also against our advice that ceasing contact with

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her was impossible because she was still a witness in the case and also at some time in the future will be a witness at the Coronial Inquest.

We expressed our concerns about this and let it be known that we would not and could not comply with this instruction.

A document was written up which was presented to all members of the taskforce stipulating that we have been given that instruction, that is to cease all forms of contact with 3838 immediately and that we acknowledge and understand the instruction. Signatures were required from all of us on this document. This generated considerable angst amongst the team with the initial response from some members being they would refuse to sign the document. I do not know who authored this document but know it came from above.

On the 18th August 2010 an Assistant Commissioner attended at the Petra Taskforce office and advised us all that as of this day the Petra Taskforce is shut down and all personnel will be assigned to other duties within Crime Command. The taskforce investigation was now reassigned to a new taskforce called "Driver" to carry on. Davey and I were instructed to go with the head of the Driver Taskforce the following day to advise the Hodson family of the situation and to introduce them to the new Taskforce head.

I recall this day vividly as the decision to shut us down was completely unexpected and a shock. Most of us sat in silence as we tried to process this news. I don't think I have ever felt more demoralised in my career. I recall asking the Assistant Commissioner why. He didn't explain other than to say words similar to "that's the decision" "for fresh eyes."

There was no mention of any formal handover of the job to the new taskforce despite it being a 6 yearlong investigation. It was just you people are now out and the new taskforce is in.

I have no doubt that the powers above did not like where we were proposing take our investigation in relation to 3838 and our resistance to their instruction to cease all contact with her. I also suspected that this was a condition of the settlement of the writ agreed upon. In any case I believe that the instruction was not only unethical but may have been unlawful in the circumstances.

Over the next two weeks the taskforce wound down and was mainly concerned with admin duties and discussion about where members would be reassigned. The Petra Taskforce closed on 3rd September 2010.

Prior to its closure I had completed the brief of evidence for the prosecution of Dale on multiple counts of giving false and misleading evidence to [REDACTED] and had delivered the brief to the Commonwealth DPP.

The issue of a handover of the investigation to Driver Taskforce had been re-thought by the hierarchy and it was decided that myself and two other investigators would move across to the Driver Taskforce for a handover period. However it was made abundantly clear to me that I was there for the purpose of a handover and answer queries. My final day with Driver was to be the 1st October 2010. This date was not negotiable and was "set in stone". There would be no extensions. It was clear that the hierarchy wanted no

member of the Petra Taskforce having any more involvement in the investigation. This was particularly disappointing to Cameron Davey and me as we had devoted a number of years to this case and we felt that we had done it justice. To be ripped away from it without any explanation or just cause was very hard to take.

Prosecution of Dale on ACC charges

On 27th September 2010 I received a call from the case solicitor assigned the brief of evidence by the Commonwealth DPP. She asked me to make inquiries with 3838 regarding her availability to give evidence against Dale in the matter. She also advised me that in her view 3838 was a competent and compellable witness. She also told me that the brief of evidence I had presented was impressive and one of the best she had seen in a case like this. I believe I advised her of the fact that I am banned from contacting 3838.

My final day at Driver Taskforce was 1st October 2010. I then commenced a 6 month secondment to Reservoir Police Station upgraded into the role as station Senior Sergeant.

On 20th December 2010 I attended a meeting at the offices of the Commonwealth DPP in relation to the brief of evidence I produced re ACC offences committed by Paul Dale. I was requested to attend this meeting however I cannot recall who it was that made this request. Present at this meeting was Deputy Commissioner Sir Ken Jones, Inspector Chris Gawne, Inspector Michael Frewin, Krista Breckwegg of the CDPP, her managers Mark Pedley (Acting Director) & Vicki Argitis. I was advised that after examining the brief it was the opinion of the CDPP prosecutors that the case is strong and can proceed. Deputy Commissioner Jones then advised prosecutors of a complicating factor, which was 3838's writ settlement with Victoria Police included an agreement that she never be subpoenaed as a witness in the future by Victoria Police for any Victoria Police matter. Further advice would be sought by the CDPP regarding the validity of such an agreement.

Deputy Commissioner Jones expressed his disapproval of the agreement and stated he was not privy to any discussion surrounding the agreement and that he has not yet seen a copy of the written agreement but knows of it. He stated that such an agreement was improper and should never have been entered into.

Due to the fact that charges recommended against Dale were to proceed by way of summons I queried Deputy Commissioner Jones if the brief of evidence is authorised for prosecution. He replied that the brief was authorised for prosecution.

I was surprised by the candour of the Deputy Commissioner who was clearly unhappy with the situation concerning 3838. He later said to me in private as we were leaving the building, "they have sold the farm" I wasn't sure at the time what he meant by that remark.

On 24th January 2011 acting on the authority of Deputy Commissioner Jones I filed 24 charges and summonses against Dale at the Melbourne Magistrates Court as the informant in the case. A filing hearing date of 1/3/11 was listed. After filing the charge and summonses I attended the offices of the CDPP and advised Mark Pedley (Acting Director) and Vicki Argitis that I had filed the charges at court. Vicky Argitis requested the return of the police brief to her office as it had been sent back to Crime Command. I

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contacted the Driver Taskforce and requested that the brief be returned to the CDPP. I was then requested by Acting Senior Sergeant McKinney to attend his office at Driver Taskforce to discuss the matter further.

At 11 a.m. that day I attended at the Driver Taskforce Office where I was taken to see Supt. GUERIN. (Crime Command) When I entered his office I saw that he had on his desk the brief of evidence I had compiled in relation ACC offences committed by Dale. He appeared to be making corrections to the brief with a red pen. What occurred next was one of the most bizarre discussions I have ever had with a senior officer.

He informed me that he had been asked to review the brief and that he had found a number of flaws with it making it unsuitable for prosecution. I advised him that the brief had already been viewed by the Commonwealth DPP and that the advice given to me by them was that it is a strong case and ready for prosecution. Furthermore that authority to issue process against Dale on all charges I recommended has been given to me personally by Deputy Commissioner JONES on 20/12/10 at a meeting with the CDPP.

It was clear to me that the Supt had absolutely no knowledge of this. He was both surprised and displeased. He remarked that the Deputy Commissioner had no authority to do that to which I suggested he take that up with the Deputy Commissioner as I was merely acting on the instruction of the 2nd most senior officer in Victoria Police.

The discussion continued on with the Supt then informing me that I am to be withdrawn as the informant in this matter and substituted with another nominal informant. I queried this and was advised by him that he was of the view that allegations could be made at court that I had a personal vendetta against Dale and for reasons of transparency it would be better to remove me as informant. I respectfully informed the Supt that I did not accept this as a valid reason for withdrawing me as the informant because I conducted the investigation and was solely responsible for producing the brief of evidence. I further advised him that I had already filed the charges and summonses at court and the matter was now listed for hearing. He stated that this was not a problem as it was a simple matter of withdrawing the charges filed and re-issuing them in the name of another informant.

I proceeded to respectfully take the Supt to task on this issue to which he informed me that his decision was supported by Deputy Commissioner Jones. I knew this to be false and I reiterated that Deputy Commissioner Jones authorised me to issue process against Dale on these charges and authorised the prosecution being fully aware that I am the informant as was the Steering Committee of both Petra Taskforce and Driver Taskforce. This decision flies in the face of directions I received from Deputy Commissioner Jones and the CDPP on 20/12/10. After further discussion I left his office and returned to the Driver Taskforce Office where I advised Acting Senior Sergeant McKinney and Senior Sergeant BUICK of the situation. BUICK informed me that he was aware of the situation and although he was not in agreement with the decision he had been instructed to take over as informant.

While discussing this with BUICK and McKinney Supt Guerin walked in and said that he had only just learned (after I left his office) that Dale had made a formal complaint to Ethical Standards about me and that he (Guerin) now factors this into his decision to withdraw me as informant.

There was no justifiable reason for the Supt's decision to re-issue charges and summonses filed at court by me and remove me as the informant; particularly after a Deputy Commissioner authorised me to issue of process as the informant. It was known by the Steering Committee that I was putting together a brief of evidence against Dale on these offences with the view of charging him. It would in my view require very exceptional circumstances to occur to justify an informant to be removed from a prosecution and substituted with another informant. Even more inexplicable was the withdrawal of all the summonses and charges I issued and the reinstatement of exactly the same charges in the name of another informant. This was despite the fact that the Supt had initially informed me that the brief of evidence contained some flaws making it unsuitable for prosecution.

The reality I believe was that this was a case of interference in the investigation and an attempt to block the case from proceeding to prosecution in court. It led me to believe that this was done to remove me from this prosecution so that I could not take carriage of the case and persist in having 3838 called as a witness. Just as 3838 was a critical witness in the murder case against Dale and Collins she was equally as important in the prosecution case against Dale for these ACC charges.

I was removed as informant, the charges and summonses were re-issued with Senior Sergeant BUICK as the informant.

My involvement now in any aspect of the Hodson murder investigation and any other investigations associated with it was now completely terminated.

From then on I liaised with Senior Sergeant BUICK periodically whenever he needed to query me on any matter relating to the Dale prosecution and the inquest. I became aware that 3838 was not going to be called as a witness in the prosecution despite being critical to the case. Dale was committed to stand trial and I became aware that the CDPP prosecutors involved were intending to call 3838 as a witness at the trial however come the trial she wasn't called due to high level intervention by Command which resulted in the withdrawal of many of the charges. Dale was acquitted of all remaining charges which came as no surprise to me as without 3838's evidence the case was significantly weakened.

The same situation occurred at the Coronial Inquest into the deaths of Terrence and Christine Hodson. 3838 was not called to give evidence however the Coroner had her witness statement for reference. I have never been told the reasons given for not calling 3838 to give evidence at the Coronial Inquest in spite the fact she is a significant witness and provides evidence central to the case.

Conclusion

The Petra Taskforce was successful in identifying those responsible for the murders of Terrence and Christine Hodson. Dale and Collins were arrested and charged with murder and the matter was before the courts when unfortunately a key witness (Williams) was murdered in custody before he gave evidence at the committal. This resulted in the discontinuance of the prosecution.

The taskforce remained committed to rebuilding the case after this set back and was well on the way to achieving that when it was suddenly and unceremoniously shut down while in full flight.

This should never have happened and up until recently I could not fathom why this happened.

The Petra Taskforce had achieved remarkable results during its time with a total of 33 persons charged with well in excess of 100 serious criminal offences including murder (multiple counts), drug trafficking, armed robbery, conspiracy to defraud (multiple counts) and multiple charges of giving false and misleading information at various coercive hearings by a number of suspects. We also managed to solve the cold case 1987 double murder of Ramon and Dorothy Abbey; with the arrest and charging of Rodney Collins and his subsequent conviction. So it cannot therefore be said that the closure of the taskforce in the manner that occurred was due to any mal practice or inefficiency; quite the contrary as sometime later Petra taskforce members were awarded the prestigious Medal for Merit by the Chief Commissioner for their work performed on the taskforce.

Therefore there had to be other reasons behind the decision to close down the taskforce in such an abrupt manner.

After reading the recent media reports concerning 3838 and her status as a registered informer I believe that this had bearing on what occurred. The media revelations explain why there were encumbrances put in place governing how Davey and I were to have contact with 3838; Encumbrances which frustrated and stymied us in our work. I believe her informer status contributed to the turmoil that came about after she became a witness in our investigation leading up to the Committal hearing of Dale and Collins. The Petra investigation and prosecution of Dale and Collins became infected by the rot which set in over her status. It is my belief now that while in January 2009 she was quite content to be a witness and give evidence in the Petra case and so were the powers above who were involved in her management this attitude changed over time. The failure to reach an agreement with her regarding her witness protection arrangements went on and on without any compromise from either side. There would have to have been concerns by both her and her managers that due to the extensive scope of subpoena applications we were receiving from defence there was a real risk of her informer status becoming exposed. The weight of the situation she was in caused her mental and physical health to significantly decline to a point where she became unmanageable. She refused to cooperate in the end with any one from Victoria Police who was involved with her during this ordeal. Including myself and Davey who up until the time we served her witness summons on her in February 2010 had a reasonable rapport with her.

Her civil writ against Victoria Police then occurred. The substance of her writ attributed everything that happened to her which caused the loss of her career, health and lifestyle to her involvement with us, the Petra Taskforce. She alleged that she was coerced into becoming a witness. This was completely false. Her involvement with the Petra Taskforce was not to blame for all the problems in her life that came upon her. We became the excuse for her writ or the scapegoat.

This led to the rapid settlement of the writ and Victoria Police making no effort to defend itself. Then agreement with her terms that she never be called as a witness in any further Victoria Police investigations or prosecutions again.

The direction to the Petra Taskforce followed ordering we cease all forms of contact with 3838 immediately.

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This direction was then met with justifiable resistance from the taskforce which resulted in the immediate shut down of the taskforce and removal of all its members from any involvement with the investigation.

So it was the cumulative effect of all of these factors stemming from her status as a registered informer which resulted in the closure of the Petra Taskforce at a time when it was on track and making steady progress in rebuilding the prosecution case in the Hodson murder investigation.

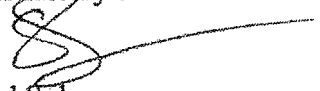
While a lot has been reported in the media about the possible negative impact to numerous convictions resulting from 3838's informer activities it also should be known that another impact which flowed from it was the compromising of the Petra Taskforce Hodson murder investigation from the outset. Followed by the shutting down of the investigation at a time when positive leads were being pursued which may have resulted in a renewed prosecution of the offenders.

While I am not privy to what transpired in the investigation after it was handed over to the Driver Taskforce, I don't believe that the investigation progressed any further at all from where it was when we (Petra) left it. I don't believe that any probe of 3838 occurred with respect to the information indicating that she may have been the conduit between Dale and criminals in the leaking of information reports from the Hodson informer management file which was going to be a major avenue of inquiry for Petra before we were shut down.

The interference which Petra investigators had to contend with in this investigation was breathtaking. The case should have been left with the investigators who had driven it solidly and faithfully for over 3 years, in the case of Davey and me much longer. The investigators who were in complete control of it and knew the case inside and out.


There are tragedies associated with this whole saga one of them being the denial of justice to Terrence and Christine Hodson and their family.

It was not a fitting end to arguably one of the most significant murder investigations in the history of Victoria Police.



Sol Solomon
Detective Sergeant 21136

I hereby acknowledge that this statement is true and correct and I make it in the belief that a person making a false statement in the circumstances is liable to the penalties of perjury.

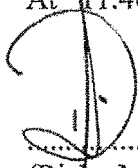


Sol Solomon
Detective Sergeant 21136

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Acknowledgment made and signature witnessed by me
At 11.40 a.m. on 15 January 2019 at Melbourne.



.....
(Ricky MILLAR)
Detective Sergeant 27412

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